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Summary record of the 300th meeting*
Held at the Palais de Nations, Geneva, on Tuesday, 21 March 2017, at 3 p.m.

Chair: Ms. Degener

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* No summary record was issued for the 299th meeting.

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The meeting was called to order at 3.10 p.m.

Consideration of reports submitted by parties to the Convention under article 35

Initial report of the Republic of Moldova (CRPD/C/MDA/1; CRPD/C/MDA/Q/1 and Add.1)

1. *At the invitation of the Chair, the delegation of the Republic of Moldova took places at the Committee table.*

2. **Ms. Oceretnii** (Republic of Moldova), introducing her country's initial report (CRPD/C/MDA/1), said that the ratification of the Convention demonstrated the Government's interest in developing and promoting policies for the social inclusion of persons with disabilities. A new conceptual approach to disability had been adopted that incorporated a human rights and social inclusion perspective, recognized the value of persons with disabilities and sought to ensure their equal enjoyment of civil, political and cultural rights.

3. In keeping with that new approach, a number of steps had been taken since 2010, including the adoption of the Strategy for the Social Inclusion of Persons with Disabilities (2010-2013) and the enactment of the Social Inclusion of Persons with Disabilities Act No. 60 of 2012 (Social Inclusion Act), which stipulated that persons with disabilities should be defined in relation to the obstacles to their participation in the life of society and that they had equal rights to social protection, health care, education, work, transport and other services.

4. The body responsible for the determination of disability and working capacity had, since 2013, shifted from a medical to a medical-social model and, with the recruitment of professionals from domains such as social work and psychology, had developed a new methodology and criteria for determining disability. The Government intended to continue the reform process in order to bring the system of disability determination into line with international standards.

5. In 2011, the Government had made changes to the national legal framework on employment to improve access to the labour market for persons with disabilities while guaranteeing their right to work and to use the services of the National Employment Agency. In 2012-2013, the Agency and its regional offices had recruited 86 new staff members to assist persons with disabilities in accessing employment-related services. A new employment strategy for 2017-2021 had been approved in December 2016 and included measures such as support for employers in adapting workplaces and the creation and reservation of jobs for persons with disabilities. Those measures had also been included in a new bill on employment.

6. To strengthen the right to independent living in the community, regulations and minimum quality standards relating to the functioning of social services had been approved, while a sign language interpretation service had been set up in 2014 and was delivered by the Deaf Association of the Republic of Moldova with funding from the Ministry of Labour, Social Protection and Family. The Government had also recently approved the provision of professional rehabilitation services by the Republican Experimental Centre for Prostheses, Orthopaedics and Rehabilitation, in the hope that such services could be used to address a variety of disabilities and be extended to other institutions in the future.

7. To prevent the institutionalization of persons with mental disorders, the Ministry of Labour, Social Protection and the Family had established two working groups to monitor institutionalization processes relating to children and adults. It had also conducted an assessment of persons placed in residential institutions, which had led to the adoption of plans for the transformation of those institutions. Moreover, a ministerial order set out new regulations for the organization and functioning of residential institutions, including a new admissions procedure for persons with disabilities, an extension of the period of placement in the residential care system and the possible provision of community social services for persons with disabilities placed in those institutions. Four new facilities had been purchased for the provision of community services, using funds previously allocated to residential institutions, and the Government had also recruited four experts to draft a national

programme on the deinstitutionalization of people currently housed in the institutions of the Ministry of Labour, Social Protection and the Family.

8. Efforts to ensure accessibility for persons with disabilities in accordance with the Social Inclusion Act included the drafting of two national standards in 2014 and the adoption of three international standards in 2016 relating to building and construction design. Four additional regulatory instruments, designed to improve conditions for persons with disabilities, were in the process of being finalized and the new Urban Planning and Construction Code had been approved. Representatives of persons with disabilities had participated in the drafting of regulatory instruments on accessibility and the reasonable adaptation of objects and spaces for persons with physical problems. A new action plan on the implementation of measures to ensure accessibility for persons with disabilities for the period 2017-2020 was being prepared and would be submitted to the Government for approval in the first half of 2017.

9. The Government aimed to bring the national legislative framework concerning the guardianship of persons with disabilities, especially the Civil Code and the Code of Civil Procedure, into line with article 12 of the Convention and a draft law to that effect had been adopted by the Parliament on first reading. The bill also contained measures to establish mechanisms to support decision-making by persons with mental disabilities at the community level. In July 2016, Parliament had adopted Act No. 201, which updated the legal framework concerning persons with disabilities, and aligned it with the Convention and the Social Inclusion Act. Another important step had been the approval in September 2016 of a set of indicators to monitor the implementation of the Convention, which would help organize the process of collecting data from different authorities, institutions and organizations and consolidate the reporting process at the national and international levels.

10. The Government had commenced the process of signing the Optional Protocol to the Convention, launching consultations for that purpose with public authorities and civil society, which were consulted in the development of all policies and regulatory and legislative acts, with draft texts published online. The Government was working effectively with the members of the Alliance of the Organizations of Persons with Disabilities of the Republic of Moldova and had discussed draft legislation and regulations with them. Consultations had also been held with the National Council for the Rights of Persons with Disabilities, an advisory collegiate body that included representatives of local governments, non-governmental organizations (NGOs) and community-based organizations.

11. The Government was preparing the National Programme on Social Inclusion of Persons with Disabilities for the period 2017-2022, which would focus on promoting the rights of persons with disabilities, social protection, health care, rehabilitation, education, work, participation in public life, the physical environment, transport, information technologies and systems, and communications. It would also seek to raise awareness among the general public.

12. **Mr. Ruskus** (Country Rapporteur) said that he commended the Government of the Republic of Moldova for initiating changes and reforms to implement the rights of persons with disabilities. He particularly welcomed the adoption of the Social Inclusion Act and the Programme for the Development of Inclusive Education for the period 2011-2020, as well as the Government's essential efforts to maintain constructive dialogues with civil society and organizations of persons with disabilities. He also commended the Government for having invited the Special Rapporteur on the rights of persons with disabilities to visit the country and asked how her recommendations had been incorporated into national policies and programmes.

13. In the Republic of Moldova, persons with disabilities continued to face huge challenges in living on an equal footing with others. In particular, he was concerned that disability was understood and determined as a medical condition rather than as a social barrier that impeded persons with impairments from living an independent and decent life. As a result, medical specialists were still taking decisions for persons with disabilities.

14. Although the figures had not been confirmed owing to the lack of a unified data system, it was thought that more than 3,000 persons had been deprived of legal capacity in the country, 600 of them between 2012 and 2017, after the ratification of the Convention.

The country lacked alternative support mechanisms to replace the guardianship system of substitute decision-making with supported decision-making as advocated in the Committee's general comment No. 1 on article 12 of the Convention. While he welcomed the decision of the Constitutional Court of 17 November 2016 revoking the provisions of the guardianship law that restricted people's decision-making rights and access to the courts, he remained concerned that legislative amendments were still rooted in the idea of substitute decision-making and that they aimed to replace the deprivation of legal capacity with a "regime of protection" that appeared to be based on the medical and charity models rather than a rights-based approach.

15. The institutionalization and seclusion of children and adults with disabilities was another serious issue, in that almost 2,500 individuals with intellectual and psychosocial disabilities still lived in segregated residential institutions and were not provided with alternatives that would allow them to live in the community. Numerous reports suggested that institutionalization increased the risk of human rights abuses. He would therefore be grateful to hear of the Government's plans to amend polices, legislation and practices to enable persons with disabilities to be supported in such a way as to make their own decisions and to live independently and in dignity within an inclusive society.

Articles 1-10

16. **Mr. Lovászy** said that he would like to know whether the delegation could provide specific examples of how the State party had implemented the principles of reasonable accommodation and universal design, using available measures for enforcement such as incentives and sanctions. He also wished to learn more about the composition of the panels and evaluation teams responsible for measuring the disability and working capacity of children and adults with disabilities. Was there a system whereby such persons could appeal against their certification? With regard to the process of deinstitutionalization, he asked in what circumstances children with disabilities might be separated from their parents and whether any safeguards were in place to prevent such separations.

17. **Mr. Yoo** Liang said that he appreciated the State party's focus on social inclusion in its report and its replies. Given that disability was a cross-cutting issue, he wished to know which government department had the power to ensure that disability issues were included in national and department-specific economic and social programmes, as well as in the implementation of the Sustainable Development Goals. Important as social benefits were for persons with disabilities, he believed that such persons also needed to be empowered so that they could be seen as active, equal members of society. The delegation should therefore provide information on how persons with disabilities were empowered economically, intellectually and politically, and how they were portrayed to the general public. Lastly, he asked whether the State party had a poverty eradication programme and, if so, whether its implementation was linked to the 2030 Agenda for Sustainable Development.

18. **Mr. Kabue** said that he wished to know whether the laws of the Republic of Moldova had been brought into line with Act No. 121 of 2012 — the Ensuring Equality Act — and the Convention, as paragraph 30 of the State party's report, submitted in early 2013, had indicated would be done. He would welcome additional information about the partnership between the NGO Keystone Human Services International Moldova Association (Keystone Moldova) and a number of local governments in the State party. It would be particularly interesting to know, for instance, how that partnership had fared and what roles were or had been played by both the NGO and its government partners in their joint efforts to prevent the institutionalization of children with disabilities. An update on the action taken by the State party to build on the Strategy for the Social Inclusion of Persons with Disabilities (2010-2013) would also be welcome.

19. **Mr. Tatić** said that he would appreciate more information on the outcome of the complaints of discrimination reviewed by the Council on the Prevention and Elimination of Discrimination and Ensuring Equality. He wished to know whether examinations of the complaints had found that discrimination on grounds of disability had indeed occurred and, if so, what consequences the persons who had committed the discriminatory acts had faced and what forms of redress had been provided to the victims. In addition, he wondered

whether any of the cases before the Council had involved complaints from women or girls with disabilities who had been victims of discrimination not only because of their disability but also because of their gender. He asked whether there were any telephone hotlines accessible to deaf women and girls, whether safe houses for women fleeing violence were accessible to wheelchair users and whether counsellors received any special training on providing support to women and girls with intellectual and psychosocial disabilities who were victims of violence.

20. With regard to article 9 of the Convention, he wished to know whether penalties for failure to meet accessibility standards were ever really imposed. In that connection, he would welcome more information on the State party's plans to provide persons working in the building trades with training on accessibility legislation and standards. He asked what kind of help, as a wheelchair user, he would receive if he arrived by aeroplane at Chisinau International Airport and whether public transport into the city, hotels and government buildings were accessible by wheelchair.

21. **Mr. Ishikawa** said that he would welcome assurances that the Moldovan authorities did not rely exclusively on assessments of the degree or level of a person's disability to determine his or her capacity to work. They should keep in mind that such capacity depended not only on the severity of a person's impairment but also on the interaction between that impairment and social barriers. Lastly, he asked whether there was any significant difference between the social model of disability, which was preferred by the Committee and the medical and social model, which was apparently the model in place in the Republic of Moldova.

22. **Mr. Kim** Hyung Shik said that he wished to know how disability and working capacity were determined in the State party and what efforts the State party had made to involve persons with disabilities and their representative organizations in the preparation of its initial report. In addition, the delegation should indicate to what extent the country's legislation had been brought into line with the Social Inclusion Act, under which the failure to provide reasonable accommodation to persons with disabilities was considered to be discriminatory.

23. **Mr. Martin** asked what happened to people who discriminated against persons with disabilities. He wondered whether persons with disabilities, including intellectual disabilities, were given opportunities to be trainers in disability-awareness education and whether such education in the Republic of Moldova was based on the provisions of the Convention.

24. **Mr. Babu** said that he would welcome information on the specific measures that had been taken by the State party to guarantee the free, independent and effective participation of organizations of and persons with disabilities in the formulation of national policies and legislation. In particular, he wished to know more about efforts to involve persons with disabilities, including women, children and ethnic minorities, in the consultations on draft policy documents, regulations and laws mentioned in paragraph 12 of the replies of the State party to the list of issues (CRPD/C/MDA/Q/1/Add.1).

25. **Mr. Buntan** asked to what extent women and girls with disabilities played active roles in the mainstream women's movement in the State party. He wished to know more about their involvement in the disability movement, in relation to policymaking in particular. Turning to article 9, he said that he would welcome a comment from the delegation on the degree to which the State party's domestic accessibility standards were informed by internationally recognized accessibility standards, especially in the area of information and communications technology.

26. **Mr. Rukhledev** asked what the status of sign language in the Republic of Moldova was and whether the country had any public training programmes for sign language interpreters. In that connection, it would be interesting to know what kind of public assistance for sign language interpretation was available, how many sign language interpreters the country had and how many teachers were capable of teaching in sign language.

27. **Mr. Pyaneandee** asked what plans the State party had made to expressly recognize the principle of non-discrimination enshrined in article 5 of the Convention.

28. **Mr. Basharu** said that he wished to know what mechanisms were in place to ensure that children with disabilities were involved in the process of making decisions on matters likely to affect them. He would welcome information on the involvement of persons with disabilities and their representative organizations in awareness-raising campaigns and the extent of media efforts to portray such persons in a positive light.

29. **Mr. Chaker** said that, although deinstitutionalizing children with disabilities was a good idea, the children themselves should be consulted on the move. The authorities should proceed with caution.

30. **Mr. Alsaif** wondered whether the State party had a strategy to encourage the media to raise awareness of disability rights.

31. **Mr. Ruskus** said that he would welcome an indication of the extent to which persons with disabilities and their representative organizations were involved in the ongoing development of the National Programme on the Social Inclusion of Persons with Disabilities for the period 2017-2022.

The meeting was suspended at 4.10 p.m. and resumed at 4.25 p.m.

32. **Mr. Cușcă** (Republic of Moldova) said that the Social Inclusion Act had established general principles for determining disability status. As a result, a new model, combining medical and social approaches and relying on the input of doctors, teachers and social workers, had been developed to make such determinations. Final recommendations concerning the integration of a person with disabilities into the community, the labour market or a mainstream school were drawn up by social workers, whereas recommendations concerning rehabilitation were made by medical personnel. The recommendations were set out in a plan tailored to the situation of each individual.

33. The Ministry of Labour, Social Protection and the Family had a commission whose members — representatives of civil society or independent experts — considered challenges to disability determinations. All such challenges, for which there was a procedure specified by law, were given due consideration.

34. The reforms begun in 2013, after the entry into force of the Social Inclusion Act, had had not yet been completed, as a number of problems had been identified. The Ministry was currently discussing a new framework for defining disability and establishing structures to address the needs of persons with disabilities. The framework, which would facilitate the adoption of best practices, including from abroad, was highly likely to be approved by the Prime Minister in the coming months.

35. **Mr. Cîrlan** (Republic of Moldova) said that, although the country's Constitution stated that all persons were equal, it did not refer expressly to the right not to be subjected to discrimination on grounds of disability. Nonetheless, under the Constitution, international human rights instruments to which the country was a party took precedence over other laws, a principle that had been upheld by the Constitutional Court.

36. Discrimination was subject to the penalties set forth under article 176 of the Criminal Code and to administrative sanctions established under legislation on labour and equality at work. Measures could also be applied by the Council on the Prevention and Elimination of Discrimination and Ensuring Equality, which verified whether discrimination had taken place. It could then refer cases to the courts, which could impose penalties commensurate with the violation.

37. On the question of legal capacity, a bill had been put before Parliament that revised the concepts of safeguards and guardianship and provided additional support for decision-making by persons with disabilities. That legislation was centred on the principle that the will of the person in question, or the best interpretation thereof, would be taken into consideration in all cases. It did not eliminate the concept of guardianship but stated that it would be applied only in exceptional situations in which a court of law decided, on the basis of an expert report, that the person could not express his or her will. Disability criteria

had been outlined in the Ensuring Equality Act and had also been included in a bill on hate crime that had been submitted to Parliament.

38. **Ms. Cernei** (Republic of Moldova) said that a legislative framework was in place for the deinstitutionalization of children with special educational needs and that a number of regulations had been drafted to ensure the provision of education as guaranteed by the Constitution and by the Education Code of 2014. The principles of non-discrimination, universality and equal rights had been bolstered by the Ensuring Equality Act, and the Education Development Strategy for the period 2014-2020 — which dealt with educational needs — had been adopted by government decree.

39. In the period between 2007 and 2017, the number of institutions providing special needs education had fallen from 80 to 12, of which 3 provided education for children under the age of 4 years. Special needs education institutions included both day and residential facilities and provided rehabilitation services for children with various disabilities, sensory impairments and social difficulties. Education for children with special needs was provided in keeping with the national curriculum and a framework plan that had been adopted by the Ministry of Education. Home education was available for children whose health prevented their attendance at school and was delivered in accordance with the appropriate legislative provisions. Staff training was regarded as extremely important and higher education establishments offered teacher training on the education of children with sensory impairments and other disabilities.

40. **Mr. Cuşcă** (Republic of Moldova) said that, in 2014, the Government had introduced sign language services, which were used nationwide by persons who were hard of hearing to communicate with public officials, to obtain access to medical care and to take legal advice, among other circumstances. The Government intended to provide more sign language interpreters and was working with the Ministry of Education and education centres to develop a special training course in sign language. Moreover, the national broadcasting company was legally obliged to provide 20 minutes of news coverage per day with sign language and subtitles. Some private television companies had also adopted that practice, providing sign language in their main news bulletins at peak viewing times.

41. **Ms. Bagrinovski** (Republic of Moldova) said that the competent public authority provided special assistance to travellers with disabilities in the country's airports and that national airlines also made every effort to assist passengers with disabilities during their journey, regardless of whether that assistance was requested when the ticket was booked or at the airport prior to departure. Passengers with reduced mobility also received free services assistance at check-in, at customs, passport control and security, at the departure gate, in the baggage hall and during transit to connecting flights. Wheelchair users could be provided with a wheelchair, while destination airports were notified of the need to provide assistance on arrival and the type of assistance required. The national airline, Air Moldova, accepted mobility equipment on-board, including battery-powered equipment. The Republic of Moldova also respected the requirement of the European Union that national airlines adhere to international regulations on the provision of special assistance for passengers with visual impairments.

42. Regulations on vehicle access for persons with disabilities, establishing minimum safety and accessibility requirements, and on bus terminal activities, requiring operators to provide improved facilities for passengers with disabilities, would shortly be introduced. Waiting rooms in bus and train stations were equipped with specially designed seats and persons with disabilities received priority at ticket offices. The Government was aware that persons with disabilities encountered accessibility problems and was committed to improving the situation.

43. **Mr. Cuşcă** (Republic of Moldova) said that, in February 2017, the Criminal Code had been amended to increase the fines for non-compliance with accessibility standards to as much as €1,000. As a result, the Government believed that those responsible for construction projects and other efforts involving disability issues would adhere to those standards in future. The Ministry of Regional Development and Construction was developing a plan of action on accessibility that would run until 2020, with the aim of ensuring compliance with accessibility standards and improving those standards in the light

of international experience. It was important that organizations providing services used by persons with disabilities adopted their own accessibility plans, since, while new buildings tended to take account of accessibility standards, older infrastructure was often non-compliant. It was hoped that the plan of action would yield tangible results.

44. **Mr. Cîrlan** (Republic of Moldova) said that he wished to draw attention to the statistical data presented by the Council on the Prevention and Elimination of Discrimination and Ensuring Equality. Since that body had come into existence, it had issued 103 decisions, 28 per cent of which had determined that discrimination had taken place on the grounds of disability. Both administrative and criminal penalties for such offences had been increased and fines had risen by 150 per cent.

45. **Ms. Oceretnii** (Republic of Moldova) said that all government programmes and policies were designed to be friendly to women and girls with disabilities. With the support of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and the United Nations Population Fund (UNFPA), the Ministry of Labour, Social Protection and the Family had devised a strategy for ensuring equality between women and men in the Republic of Moldova for the period 2017-2021. The strategy would be an effective tool for coordinating and mobilizing government departments, civil society and development partners in their efforts to mainstream gender in all programmes and for ensuring a common agenda of gender equality. As well as the general objective of ensuring equality between women and men, it promoted a culture of health at every stage of life for both women and men by increasing the accessibility of health services, informed and empowered women and girls with disabilities regarding access to sexual and reproductive health services and the exercise of sexual and reproductive rights, and involved the mass media in raising public awareness of the issue.

46. As part of its mission to promote human rights and disability rights, the Government supported reporting mechanisms that were accessible to women and girls with disabilities. A hotline for victims of domestic violence and abuse was operated by the La Strada International Centre for Protection and Promotion of Women's Rights, while a children's hotline was also available. In January 2017, a dedicated hotline service for persons with disabilities had been launched as the pilot phase of a project devised by Keystone Moldova and implemented by the Alliance of the Organizations of Persons with Disabilities of the Republic of Moldova with funding from the European Union. To date, 172 calls had been received, including 52 calls by persons in State-operated residential institutions. The Government coordinated effectively with the non-governmental sector and recognized the importance of taking the views of persons with disabilities into account. For example, the National Programme on Social Inclusion of Persons with Disabilities for the period 2017-2022 had been developed with the support of Keystone Moldova and the participation of local governments and NGOs representing persons with disabilities.

47. Given the persistence of stereotypes in Moldovan society, the Government understood the need for the mass media to portray persons with disabilities accurately and had therefore organized training for media professionals on the correct use of terms related to disability. In 2016, the Ministry of Labour, Social Protection and the Family — with the support of United Nations agencies and NGOs — had organized an event to celebrate the International Day of Persons with Disabilities and to promote the abilities of persons with disabilities. All ministries involved in promoting disability rights participated in television and radio shows to analyse and discuss the situation of persons with disabilities.

48. **Mr. Cu,că** (Republic of Moldova) said that persons with disabilities in the Republic of Moldova were entitled to social benefits and services, including, in some cases, pensions. Children with disabilities and adults with disabilities who had not worked and were thus not entitled to pensions received special benefits. In addition, persons with severe disabilities were entitled to the services of a personal assistant. A social welfare programme, introduced in 2008, involved the payment of benefits to families whose members did not earn an income that reached a given threshold.

49. In 2016, the Government had developed a wider array of social services, some provided to persons with disabilities by mobile teams active in almost every district in the country. Services available at the local level also included day-care centres for persons with

disabilities and facilities for stays of up to six months. The Respiro service enabled the family members taking care of persons with severe disabilities to enjoy a brief respite from their caregiving responsibilities.

Articles 11-20

50. **Mr. Tatić** said that he wished to request information about the State party's plans to ensure that architects, town planners and engineers embraced the concept of universal design. In addition, he wondered whether the country's new hotlines were accessible to deaf persons and persons with intellectual disabilities. More information about the personal assistants available to persons with disabilities, such as what kind of training they received, would also be welcome, not least because such information could be of use to the Committee in its ongoing efforts to draft a general comment on living independently and being included in the community.

51. Regarding article 13, he asked whether plans to make courthouses accessible to persons with disabilities, mentioned in paragraph 96 of the State party's report, had been carried out and, if so, what exactly had been done. In addition, he wondered whether, as also mentioned in the report (para. 95), there were still eight sign language interpreters in the Republic of Moldova and whether the delegation had any information on the number of legal proceedings that they had been involved in. It would also be interesting to know more about the approach taken to legal or administrative proceedings involving persons with intellectual disabilities. Were efforts made to communicate with such persons in plain-language or other easy-to-read formats?

52. **Mr. You** Liang said that he wished to know whether reports that persons with psychosocial disabilities in particular were still sometimes forced to work in the State party were accurate and, if so, what plans the authorities had made to address the situation. In addition, he asked whether the State party provided persons with disabilities with assistive devices and training in their use. Was the adoption of such devices encouraged?

53. **Mr. Martin** asked how many persons with disabilities were still living under guardianship laws. With regard to article 12, he wished to know what efforts the State party was making to ensure that the providers of support to persons with disabilities knew about the plain-language resources that could help such persons make their own decisions about their lives. In addition, he wondered what was being done to educate justice system officials about article 12 and supported decision-making.

54. In connection with article 19, he asked how many persons with disabilities had left institutions for life in the community and how many were still living in institutions. He wished to know what was being done to ensure that doctors, nurses and other health workers were given the right training to work with persons with intellectual disabilities.

55. **Mr. Buntan** said that he would appreciate an answer to his question about the application of internationally recognized accessibility standards in information and communications technology. Although the State party's report had been submitted before the adoption of the Sendai Framework for Disaster Risk Reduction, he wondered whether the State party had developed a comprehensive plan for disaster risk reduction that, informed by the Framework, gave full consideration to the inclusion and needs of persons with disabilities. In that connection, he wished to know how persons with disabilities, in particular deaf or deaf-blind persons and persons with intellectual or psychosocial disabilities, were informed of disaster risks. Lastly, he asked how many persons with disabilities worked in the legal professions in the State party and what measures the Government was taking to enable them to enter those professions.

56. **Mr. Babu** said that it would be interesting to know whether persons with disabilities themselves and their representative organizations had been involved in the training on the rights of such persons described in paragraphs 64 to 66 of the replies to the list of issues. It would also be interesting to know how effective that training had been and what it was to be used for.

57. He asked whether persons with disabilities had a choice of communication methods during any legal proceedings they were involved in. In particular, he wondered whether

persons who were deaf or hard of hearing could choose the method of communication they preferred.

58. **Mr. Kabue** said that he would welcome a clarification of the kind of legal assistance given to persons with disabilities whose rights had been violated and whether such persons could represent themselves in administrative or legal proceedings. With regard to article 19, he asked whether the State party was indeed moving persons with disabilities from larger institutions to much smaller facilities, where they apparently lived together in groups of as few as five or six people, and, if so, whether the Moldovan authorities viewed that as a real form of deinstitutionalization and inclusion in the community.

59. **Mr. Kim** Hyung Shik said that he would welcome an indication of the total number of persons with disabilities in institutional care and an account of the progress that had been made since the adoption of the Strategy for the Social Inclusion of Persons with Disabilities (2010-2013). He asked whether the availability of residential services was sufficient to enable such persons to live in the community and whether the providers of institutional services had opposed deinstitutionalization.

60. **Mr. Basharu** said that the delegation had not indicated whether persons with disabilities and their representative organizations were involved in campaigns to raise awareness of disability issues and, if so, to what extent. Turning to article 14, he asked what measures had been taken to protect persons with disabilities, in particular psychosocial disabilities, from violence and abuse when they were deprived of their liberty.

61. **Mr. Chaker** said that he wished to know how persons with disabilities had benefited from the rights training that, according to the replies to the list of issues (paras. 64-66), had been given to more than 100 officials from the justice system.

62. **Mr. Pyaneandee** asked whether there had been any recent reports — since early 2013 — of persons with disabilities, institutionalized women with psychosocial disabilities in particular, who had been subjected to abuse, violence or exploitation. In that connection, he wished to know whether reasonable accommodation would be provided to allow any such persons access to the justice system and whether the denial of reasonable accommodation would be a criminal offence. It would also be interesting to know whether there had been any reports of persons with disabilities who had been subjected to torture and other cruel or inhuman treatment while they were being arrested, questioned or held and, if so, whether those persons were entitled to legal aid. Would denying them such aid be a criminal offence?

63. **Mr. Ruskus** asked whether the State party had any plans to repeal the article of the Civil Code that made it possible for persons with disabilities to be deprived of legal capacity and to bring the country's mental health legislation, in particular as it pertained to involuntary hospitalization, into line with the Convention. The delegation should comment on the measures that had been taken to safeguard the physical integrity of women and girls with disabilities, especially those in institutions, given that discriminatory legislation provided for forced termination of pregnancy on grounds of disability, and mental disabilities were evidently grounds for forced sterilization. More information on the moratorium on the placement of persons with disabilities in institutions would be welcome, as would an indication of any plans to launch reforms aimed at ensuring the availability of the support services that would enable persons with disabilities to live independently.

64. **The Chair** asked what legal and practical measures the Government was taking to address gender-based violence against women with disabilities, including those in institutions, and ensure that those responsible were investigated and punished. She wondered whether there were any data on the number of women with disabilities empowered to exercise sexual self-determination and on the number of health personnel, including doctors, who had been punished for forcing women with disabilities to undergo abortions or sterilization.

The meeting rose at 5.50 p.m.